

MINUTES OF THE MEETING OF THE BAR - BENCH - MEDIA CONFERENCE

A meeting of the Bar-Bench-Media Conference was held on Thursday, September 9, 1993 at 1:30 p.m. at WHYY TV 12 in the Linden Building in Wilmington. The meeting was opened to the public. Notice of the meeting had been posted. The members of the Conference in attendance were:

Members from the Print News Media

Ms. Rita Katz Farrell
Mr. John Sweeney

Members from the Electronic News Media

Ms. Marilyn Buerkle
Mr. William D. Osborne
Mr. Michael Sigman

Members from the Bench

Vice Chancellor Jack B. Jacobs
Judge Jay Paul James
Judge Roderick R. McKelvie
Chief Magistrate William F. Richardson
President Judge Henry duPont Ridgely

Members from the Bar

Howard M. Handelman, Esquire
Rosemary K. Killian, Esquire
Harvey B. Rubenstein, Esquire
Mary B. Sherlock, Esquire

Bill Osborne called the meeting to order. The minutes of the previous meeting were approved after a correction was made at the top of page 3. An

amended page 3 is included with these minutes.

Reports from the individual committees preparing the Conference report and from the bylaws committee were the next agenda items. It was reported to the Conference that none of the committees had met formally but that the process of gathering information and materials had been undertaken by individual members. The Conference decided that chairpersons should be selected for all the committees. John Sweeney was selected as the chairperson for the philosophical and legal issues committee. Judge McKelvie was selected as the chairperson for the survey of other jurisdictions committee. President Judge Ridgely was selected as the chairperson for the technical feasibility, rules and guidelines, and equal access issues committee. Harvey Rubenstein was selected as the chairperson of the constitution and bylaws committee. The Conference agreed that each committee should meet before the next Conference meeting. It was noted that John Taylor had volunteered to draft a paragraph for a Statement of Principle that the Conference could discuss.

The Conference discussed the general outline for the Conference report. It was decided that the general outline of the report would be to: (1) identify the issues, (2) present data and experiences, and (3) make recommendations with a rationale for those recommendations. The three report committees would write

individual reports for presentation to the Conference for discussion. The discussions would hopefully lead to the consensus position of the Conference with a minority report if appropriate. The Conference would incorporate the three reports into one internally consistent document as approved by the Conference with or without a minority report for the consideration of the Supreme Court. With this goal in mind, each committee was asked to identify the relevant issues before their committee and report back to the Conference at the next meeting. After the reports are presented, the Conference will identify potential overlaps and conflicts among the committees.

Mr. Handleman related to the Conference that Frank Balotti as President-Elect of the State Bar Association had asked whether the Conference would like to explore presenting a program on the First Amendment at the Bench-Bar Conference in June, 1994. The Bar Association had expressed an interest in having such a program and thought that the Conference was the logical choice to present it. It was decided that Mr. Handelmann and Vice Chancellor Jacobs would meet with Mr. Balotti and discuss the matter further. This topic will be added to the next agenda.

It was noted by members of the Conference that Bob Mercer had indicated that he was unable to attend the meetings of the Conference. A brief discussion

about replacing him with another member of the electronic news media ensued without result.

At the end of the meeting, Bill Osborne scheduled the next meeting of the Conference for Thursday, November 18, 1993 at 10:30 a.m. in the Supreme Court Conference Room in Wilmington. A proposed agenda for that meeting is enclosed with these minutes. If any member of the Conference wishes to have an item placed on the agenda, please contact Bill Osborne or Steve Taylor by Monday, November 8, 1993.

A copy of a September 3, 1993 memorandum from President Judge Ridgely to Steve Taylor on the topic of Court Policies on Recording Devices, a copy of the Hawaii State Bar Association's Report on Cameras in the Courtroom, a copy of the Iowa Expanded Media Coverage Handbook, a copy of the New York's Executive Summary and Table of Contents for its report on television in the courtroom, and a copy of By Invitation Only: The Media in the Courtroom that was handed out by John Sweeney at the last meeting are included with the minutes for your information.

Respectfully Submitted,

Rosemary K. Nelson

by

Stephen D. Taylor

Date: October 19, 1993